

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Santana Row Hotel Partners, LP,

NO. C 05-00198 JW

Plaintiff,

**ORDER AFFIRMING DISCOVERY  
ORDER OF MAGISTRATE JUDGE**


v.

Zurich America Insurance Company, et al.,

Defendants.

The Court is in receipt of Defendant Zurich American Insurance Company's ("Zurich") Objections to Magistrate's Order Denying in Part Zurich American Insurance Company's Motion to Exclude Untimely and Improper January 30, 2007 Disclosures from SRHP's Expert Paul Hamilton (Docket Item No. 264). Review of the objections indicates that Zurich restate arguments made to the Magistrate, namely, that Zurich is prejudiced by having unequal time to prepare its expert reports. The Court finds that the Magistrate's failure to grant the remedy of exclusion based on such a limited showing of prejudice was not clearly erroneous or contrary to law. Accordingly, the Magistrate's Order is AFFIRMED.

Dated: March 20, 2007

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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9 **Dated: March 20, 2007**

**Richard W. Wieking, Clerk**

10 **By: /s/ JW Chambers**

11 **Elizabeth Garcia**  
12 **Courtroom Deputy**  
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